

**REMARKS**

Claims 1-6 and 8-10 were reported in the Office Action as pending. Claims 1-6 and 8-10 are rejected. Claim 1 has been amended. Claim 7 is cancelled. Claims 1-6 and 8-10 remain.

Applicant requests reconsideration of the application in view of the following remarks.

It is asserted in the Office Action that Claims 1-6 and 8-10 are rejected under 35 USC 103(a) as being unpatentable over Zhang et al. (US Patent Publication No. 2003/0028641) in view of Khurana et al. In response, Applicant has amended Claim 1 to affirmatively include the limitation that “the calculated amount takes into account an average of time intervals at which allocation of additional bandwidth is requested from the bandwidth broker.” In this connection, Khurana et al., appears to allocate bandwidth based upon what it refers to as traffic classes  $T_1$ - $T_n$  with an available bandwidth of  $A_1$ - $A_n$  in each of the traffic classes. Applicant further notes, based upon Figures 2-4 and the corresponding descriptions in the specification, there does not appear to be any attempt to calculate the amount of additional bandwidth to be requested taking into account an average of time intervals at which allocation of additional bandwidth is requested from the bandwidth broker as required by amended Claim 1. Zhang also does not contain this limitation.

Accordingly, since the remaining claims depend from Claim 1, reconsideration and withdrawal of the rejection to Claims 1-6 and 8-10 under 35 USC 103(a) as being unpatentable over Zhang et al., in view of Khurana et al., is respectively requested.

Accordingly, Applicant submits that the claims pending following entry of this amendment, namely Claims 1-6 and 8-10, are now in condition for allowance, which early action is requested.

If there are any fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.